

the lumber sold for outdoor use in our schools' playgrounds and in our own private backyard decks is pressure-treated and injected with toxins to preserve the wood and prevent insect infestation. The most common wood preservative and pesticide used is chromated copper arsenate (CCA), which is 22 percent pure arsenic. The inorganic arsenic used in CCA-treated wood is a known carcinogen and has been linked to skin, bladder, liver and lung cancers. The arsenic in CCA-treated wood has been shown to leach out, ending up in the soil in our back yards and playgrounds, rubbing off onto our clothing, and wiping off onto our hands.

Today, I am re-introducing a bill to begin to remove this threat, the Arsenic-Treated Wood Prohibition Act. This bill will prohibit the use of CCA treated lumber once and for all. This legislation will protect children and families by mandating the phase out of arsenic in pressure treated lumber and will ensure that arsenic treated lumber is disposed of safely. Specifically, my bill will: phase-out the use of arsenic-treated wood in residential settings; require the disposal of arsenic-treated wood in lined landfills to prevent contamination of groundwater; require the Environmental Protection Agency (EPA) to finally complete its risk assessment regarding arsenic-treated wood; provide monetary assistance to schools and local communities to remove arsenic-treated wood from their playgrounds; and direct the Consumer Product Safety Commission (CPSC) to complete its mitigation studies to determine the effect of sealants in preventing exposure to residues of CCA on treated wood. This bill would save lives and protect our environment.

Recent actions by the CPSC and preliminary findings released by the EPA make it even more important that we in Congress pass this legislation. Despite their own findings found that of every 1 million children exposed to the treated wood three times every week for five years, two to 100 of them might develop lung or bladder cancer later in life, the CPSC recently decided to deny a petition to ban the use of arsenic-treated wood in playground equipment and to recall existing playground structures using CCA-treated wood (HP-01-3). In their statements denying the petition, the CPSC Commissioners cited that a voluntary agreement between the EPA and CCA-treated wood manufacturer's to voluntarily phase-out the production of the product. The Commissioners reasoned that rulemaking on the subject would be both unnecessary and redundant. They further cited that the CPSC did not have the authority to initiate a recall before the risk assumptions made in the Commission's staff study could be verified.

On November 13, a draft probabilistic exposure assessment released by the EPA confirmed the CPSC's earlier findings. The study concluded that the cancer risk for children who repeatedly come in contact with commonly found playground equipment and decks made of arsenic-treated wood is considerably greater than EPA officials indicated last year. The agency's preliminary findings show that 90 percent of children repeatedly exposed to arsenic-treated wood face a greater than one-in-1 million risk of cancer. The risk associated with exposure to arsenic-treated wood appears to be up to 100 times greater in the warmer climates of southern States than in the general population since children tend to

spend more time playing outdoors. This risk passes the EPA's historic threshold of concern about the effects of toxic chemicals.

In light of these facts, I believe that we must take immediate action. I believe that a voluntary phase-out of this potentially harmful product is not adequate. Initiating a ban on CCA-treated wood would greatly increase public awareness of the dangers that existing arsenic-treated wood presents. By failing to ban CCA-treated wood, we are ignoring the responsibility to protect and promote the best interests of consumers. I strongly believe that a legislative mandate permanently banning its use and providing for its safe removal is critical to ensuring the safety of children and their families.

The effect of arsenic in our environment is undeniable: it kills. Arsenic-treated wood is a danger to the future health of America's families. I encourage my colleagues to join me in this very important effort to remove this threat.

TRIBUTE TO PFC DAMIEN L. HEIDELBERG

HON. CHARLES W. "CHIP" PICKERING

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Friday, November 21, 2003

Mr. PICKERING. Mr. Speaker, I rise this evening to pay tribute to Private First Class Damien Heidelberg who was killed in action Saturday, November 15, in Iraq. Along with seventeen other American soldiers, including another Mississippian, Specialist Jeremy DiGiovanni, Damien was killed in the collision of two Black Hawk helicopters.

Damien was a member of the First Battalion, 187th Infantry Regiment, 101st Airborne based in Fort Campbell, Kentucky. The little town of Shubuta, Mississippi was home to Damien. He was the ninth Mississippian to die in Iraq since the war began, and he served his country proudly and with honor.

PFC Heidelberg made the ultimate sacrifice defending our Nation and helped free millions of men, women, and children from the tyrannical grasp of an evil and brutal dictator. We Mississippians are so proud of the men and women we have serving in Iraq and appreciate their dedication to defending freedom and democracy.

I ask my fellow Members of the U.S. House of Representatives to remember Damien and his family during this difficult time. To his family, our prayers are with you, and we are grateful for Damien's courage and service to the United States of America.

THE LIMITS AND LIABILITY OF POWER: LESSONS OF IRAQ

HON. JAMES A. LEACH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, November 21, 2003

Mr. LEACH. Mr. Speaker, the issue of our engagement in Iraq demands that we as a society probe the question of the limits of a superpower's power and the possible anomaly that there are severe liabilities to power, particularly for a superpower.

Does, for instance, overwhelming military might protect us from terrorism or, if used unwisely, increase our vulnerability to terrorism?

Likewise, does overwhelming economic power ensure loyalty or buy friendship even from the countries most indebted to the U.S.?

In other words, can military and economic might ever become a substitute for sensible and sensitive foreign policy?

And given the dilemma of Iraq, could it indeed be that the most important "multibillion" problem America faces is not deficits measured in dollars, fiscal or trade, but the antagonism of billions of people around the world who object to our current foreign policy?

Here, let me say that I strongly believe in the need for clarification of thought as it applies to policy, and anyone who wishes to review the reasoning I have applied to the Iraq issue, ranging from a floor explanation of a "no" vote on the Congressional resolution authorizing war last year to calls for internationalizing the civil governance in Iraq last month, to a vote in favor of generosity in reconstruction efforts last week, can find the explanatory statements on my Congressional web site: www.house.gov/leach.

What I would like to do today is summarize the dilemma we face and make the following points about where we might go from here:

(1) There are no certitudes. Anyone who was not conflicted on the original decision to approve intervention or who does not see a downside to all courses of action today is not approaching the problem with an open mind. America and the world are in a strategic pickle. In an era of anger, of divisions in the world based on economics, on color of skin, on ethnicity, on religious belief, on happenstance of family and place of birth; in a world made smaller by technological revolutions in communications and transportation, those who have causes—good or bad—have possibilities of being heard and felt around the globe that never existed before. Great leaders like Gandhi and Martin Luther King appealed to the higher angels of our nature and achieved revolutionary change with non-violence. Mendacious leaders like Hitler, Saddam Hussein and Osama bin Laden have sought to impose their wills on others through appeals to hate and reliance on increasingly wanton instruments of oppression.

As the world's only superpower, the U.S. has no choice but to display firmness of purpose and resolve in deterring inhumane breaches of order. Yet, firmness and resolve must be matched by compassionate understanding of the reasons people of the world lash out. We have the world's greatest armed forces. But these forces cannot successfully be deployed to counter international misconduct if we don't also seek to undercut the causes of such conduct.

Reviewing the causes of World War I, historians quickly concluded that there was not enough flexibility in the European alliance system and that this allowed a rather minor event, the assassination of an Austrian archduke, to precipitate a cataclysmic war. With this example in mind, political leaders in the 1930s erred on the side of irresolution, which led them to Munich and the partition of Czechoslovakia. Too much inflexibility caused one war; too little spine a greater one.

The problem today is not whether we should meet problems with firmness or compassion. We need both. The problem is determining when and how to respond with firmness, when and how to express compassion. As in all human conduct, the challenge is wisdom.